

City of Hogansville City Council

Public Hearing & Regular Meeting Agenda

Monday, September 16, 2024 – 7:00 pm

Meeting will be held at Hogansville City Hall, 111 High Street, Hogansville, GA 30230

Mayor: Jake Ayers	2025	City Manager: Lisa E. Kelly
Council Post 1: Michael Taylor, Jr *	2025	Assistant City Manager: Niles Ford
Council Post 2: Matthew Morgan	2025	City Attorney: <i>Alex Dixon</i>
Council Post 3: <i>Mandy Neese</i>	2027	Chief of Police: Jeffrey Sheppard
Council Post 4: <i>Mark Ayers</i>	2027	City Clerk: LeAnn Lehigh
Council Post 5: Kandis Strickland	2027	* Mayor Pro-Tem

Public Hearing - 7:00 pm

Public Hearing to Hear Citizen Comments on the Millage Rate.

Regular Meeting – Immediately following Public Hearing

- 1. Call to Order Mayor Jake Ayers
- 2. Invocation & Pledge

Agenda

All items listed under the Consent Agenda are considered to be routine in nature and will be approved by one blanket motion.

1. Approval of Agenda: Regular Meeting September 16, 2024

2. Approval of Minutes: Work Session August 19, 2024

3. Approval of Minutes: Regular Meeting August 19, 2024

4. Approval of Minutes: Work Session September 3, 2024

5. Approval of Minutes: Public Hearing & Regular Meeting September 3, 2024

Old Business

1. Ordinance – 2nd Reading & Adoption – Watershed Protection Amendment

New Business

- 1. Adoption of the Millage Rate
- 2. Board Appointment Downtown Development Authority Discussion Only

City Manager's Report

Chief of Police Report

Council Member Reports

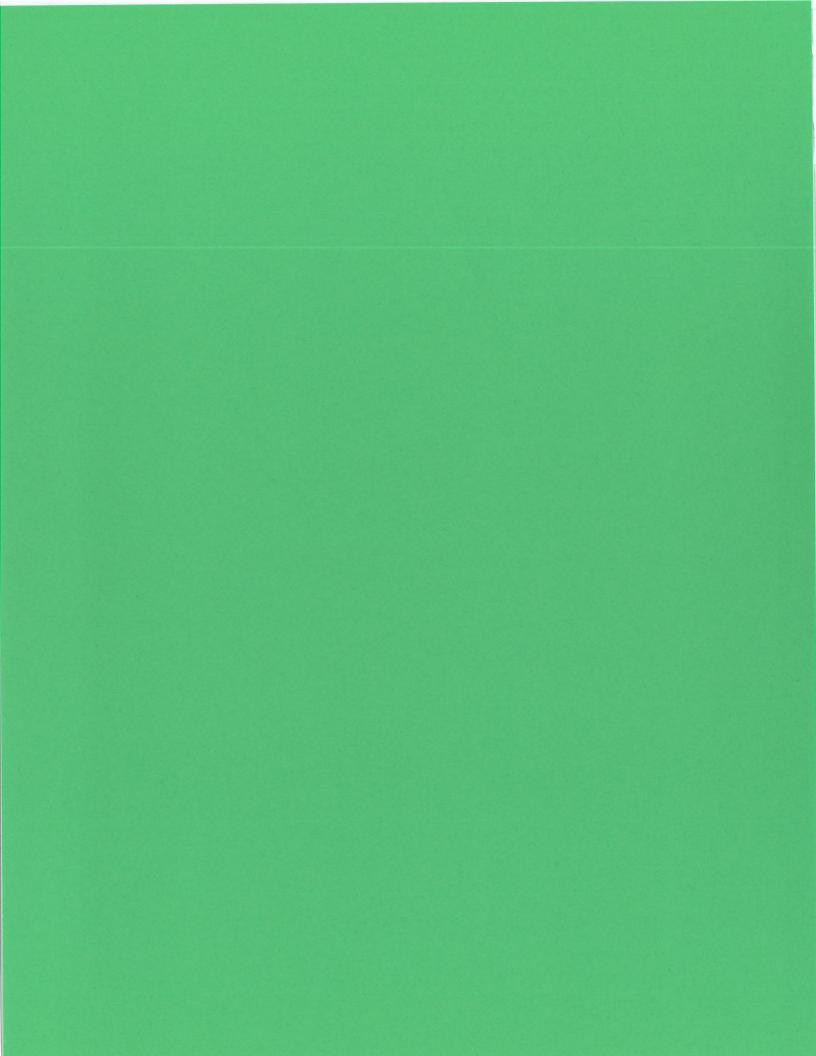
- 1. Council Member Taylor
- 2. Council Member Morgan
- 3. Council Member Neese
- 4. Council Member Ayers
- 5. Council Member Strickland

Mayor's Report

Adjourn

Upcoming Dates & Events

- September 17, 2024 6:30 pm | Meeting of the Hogansville Historic Preservation Commission at Hogansville City Hall
- September 19, 2024 6:00 pm | Meeting of the Planning & Zoning Commission at Hogansville City Hall
- September 24, 2024 6:30 pm | Meeting of the Downtown Development Authority at Hogansville City Hall
- October 7, 2024 –7:00 pm | Regular Meeting of the Mayor and Council at Hogansville City Hall





08/19/2024

Meeting held at Hogansville City Hall, 111 High Street, Hogansville GA 30230

Work Session Meeting

Call to Order: Mayor Jake Ayers called the Work Session to order at 5:34 pm. Present were Council Member Michael Taylor, Council Member Matthew Morgan, Council Member Mandy Neese, Council Member Mark Ayers and Council Member Kandis Strickland. Also present were City Manager Lisa Kelly, Assistant City Manager Niles Ford, City Attorney Alex Dixon, Police Chief Jeffrey Sheppard, and City Clerk LeAnn Lehigh.

ORDER OF BUSINESS

1. Early Voting

Previous discussion was held at the last Council work session regarding early voting in Hogansville and Council had requested more information. The County sent a Resolution for the Council to approve. Early voting would be held at either the City Annex or the Hogansville Library the full week before the election and the preceding Friday and Saturday at a cost of \$7k. The Resolution would not bind future elections. The Resolution is on the Regular Meeting agenda for action tonight.

2. Royal Theater

a. Change Order

During the previous work session, a change order was presented from Principle Construction for relocating plumbing and electrical for the new location of the concessions area in the amount of \$140,892.40. Per Council request, a meeting was held with the contractor post this meeting to understand the pricing and determine if any of the work quoted can be removed from the scope. Mayor Ayers, administrative staff, and Principle Construction's team (GC Foreman, staff) had a long discussion on the change order and what it consists of. Several items were removed from the change order, including a separate HVAC unit & additional water heater, and a new change order was presented in the amount of \$89,932.14. The extra funds can be paid from construction funds and Council agreed the work needs to be completed.

Staff will come back with equipment pricing for operations within the concessions area at the next meeting in

September.

Additional discussion was held regarding installation of A/V, update on debris found on the roof causing the water leak, and the need for additional downspouts on the roof that can be installed at a later time.

b. Sponsorship/VIP Area

Due to limited space in the theater, Theater Director Rob Dippel is requesting during live performances only, partition off a portion of Ames St to create an outdoor section with a simple seating area only for VIPs and Sponsors for pre-performances and intermissions to give them a dedicated space to make them feel appreciated. Council liked the idea.

3. AMR Housing Agreement

City Council previously held discussions regarding allowing AMR to use the basement of the police department as a housing facility. AMR sent a contract that did not specify a monthly dollar amount to use the facility, that includes using Wi-Fi and utilities at the police department. City Manager would like the Council to consider the City going back with a dollar amount. City Council agrees City Manager to request \$2k monthly for use of the facility to include all utilities.

4. Watershed Protection Ordinance Amendment

During discussion with City engineers and City Management regarding proposed new development on Blue Creek Road, an issue was found in the current Watershed Protection Ordinance which states no building 7 miles upstream from the watershed, which would hold up development. This ordinance was drafted when the Reservoir was the City's water supply, which is no longer the case. City Attorney is working on proper language to amend the

ordinance for the next meeting and suggested tabling this item on the Regular Meeting agenda tonight. Council agreed to table the item until the next Regular Meeting on September 3, 2024.

5. Rezoning Requests - Mountville Road and East Boyd Road to CR-MX

Austin and Scott with Sawgrass Development addressed Council regarding their rezoning request for Mountville Road and East Boyd Road to rezone to Corridor Mixed Use for the two parcels. The proposed development would have single family homes, as well as 5k sf commercial space off of East Boyd Road. The rezoning requests for both parcels are on the Regular Meeting agenda for action tonight.

6. Variance Request – 414 Foot Log Lane

There is a variance request on the Regular Meeting agenda tonight for 414 Foot Log Lane to reduce the square footage of house to 1100sf. The UDO says homes must be at least 1500 sf. The lot does not have room to build home of that size. The houses in Huntcliff Subdivision are 1100-1500sf. This item went to the Planning & Zoning but did not have a quorum. It comes to the council without a recommendation. Staff feels the requested size is appropriate for the subdivision.

Mayor Ayers adjourned the Work Session at 6:36 pm.

Respectfully,



08/19/2024

Meeting held at Hogansville City Hall, 111 High Street, Hogansville GA 30230

REGULAR MEETING

Call to Order: Mayor Jake Ayers called the Regular Meeting to order at 7:00 pm. Present were Council Member Michael Taylor, Council Member Matthew Morgan, Council Member Mandy Neese, Council Member Mark Ayers, and Council Member Kandis Strickland. Also present were City Manager Lisa Kelly, Assistant City Manager Niles Ford, City Attorney Alex Dixon, Police Chief Jeff Sheppard, and City Clerk LeAnn Lehigh.

Council Member Ayers gave an invocation and Mayor Ayers led the Pledge of Allegiance.

CONSENT AGENDA

Motion: Council Member Neese moved to amend the Consent Agenda, striking item number 5 under Old Business (Georgia Youth Impact Project Funding), and table item number 1 under New Business (Ordinance – 1st Reading – Watershed Protection Amendment) until first meeting on Sept 3. The motion was seconded by Council Member Ayers.

Motion Carries 5-0

Motion: Council Member Neese moved to approve the Amended Consent Agenda. The motion was seconded by Council Member Ayers.

Motion Carries 5-0

CITIZEN APPEARANCE

1. Jimmy Norred to Discuss Ordinance Section 54-50

Jimmy Norred, 107 Granite St, addressed Council to discuss ordinance 54-50. The ordinance prohibits panhandling in the downtown historic district. Mr. Norred is concerned that the ordinance prohibits a constitutionally protected activity. He is requesting a resolution to this matter to get the ordinance off the books. City Attorney is looking into the matter.

OLD BUSINESS

Ordinance – 2nd Reading and Adoption – Rezoning and Map Amendment – 1101 East Main Street, Tax Map No 021-3D-000-035 from ES-R (Estate Single Family Residential) to CR-MX (Corridor Mixed Use)
 Motion: Council Member Taylor moved to approve Rezoning 1101 E. Main Street from ES-R (Estate Single Family Residential) to CR-MX (Corridor Mixed Use). The motion was seconded by Council Member Neese.
 Discussion: Items 1 & 2 Adopted in one motion.

Motion Carries 5-0

Ordinance - 2nd Reading and Adoption – Rezoning and Map Amendment – East Boyd Road, Tax Map No 021-3D-000-038 from ES-R (Estate Single Family Residential) to CR-MX (Corridor Mixed Use)
 Motion: Council Member Taylor moved to approve the ordinance to rezone property at E. Boyd Road from Es-R (Estate Single Family Residential) to CR-MX (Corridor Mixed Use). The motion was seconded by Council Member Neese.

Discussion: None

Motion Carries 5-0

3. Board Appointment - Georgia Initiative for Community Housing (GICH)

Motion: Council Member Neese moved to Table item until the next Regular Meeting on September 3. The motion was seconded by Council Member Ayers.

Discussion: Council agreed to hold off on this item, they need more information on board residency restrictions. Staff will check bylaws to see if applicant needs to live in Hogansville.

Motion Carries 5-0 – Item Tabled until Regular Meeting on 9/3/24

4. Royal Theater Change Order

Motion: Council Member Neese moved to approve the Royal Theater change order in the amount of \$89,932.14 for relocating the electrical and plumbing for the new concession stand area. The motion was seconded by Council Member Ayers.

Discussion: Remaining funds from existing scope of work already funded.

Motion Carries 5-0

NEW BUSINESS

1. Ordinance – 1st Reading – Watershed Protection Amendment

This item was Tabled in the Consent Agenda Amendment

2. Resolution - Early Voting

Motion: Council Member Taylor moved to approve the Resolution for Early Voting from Fri Oct 25-Nov 1, including Friday & Saturday before the final week in the approximate amount of \$7k. The motion was seconded by Council Member Neese.

Discussion: None **Motion Carries 5-0**

3. Variance Request – 414 Foot Log Lane

Motion: Council Member Neese moved to approve the variance request for 414 Foot Log Lane to allow the home size to decrease from 1500sf to 1100 sf. The motion was seconded by Council Member Ayers.

Discussion: None **Motion Carries 5-0**

EXECUTIVE SESSION

Motion: Council Member Neese moved to adjourn into an Executive Session under the Litigation and Real Estate Exemptions at 7:24pm. The motion was seconded by Council Member Taylor.

Discussion: None **Motion Carries – 5-0**

The Regular Meeting was reconvened at 7:48pm.

ADJOURNMENT

On a motion made by Council Member Neese and duly seconded, Mayor Ayers adjourned the meeting at 8:05 pm.

Respectfully,



09/03/2024

Meeting held at Hogansville City Hall, 111 High Street, Hogansville GA 30230

Work Session Meeting

Call to Order: Mayor Jake Ayers called the Work Session to order at 5:34 pm. Present were Council Member Michael Taylor, Council Member Matthew Morgan, Council Member Mandy Neese, Council Member Mark Ayers and Council Member Kandis Strickland. Also present were City Manager Lisa Kelly, Assistant City Manager Niles Ford, City Attorney Alex Dixon, and City Clerk LeAnn Lehigh. Police Chief Jeffrey Sheppard was not present at tonight's meeting.

ORDER OF BUSINESS

1. Watershed Protection Ordinance Amendment

The City previously submitted a plan to Charles Abbott & Associates for the Industrial Park Blue Creek and Blue Creek West proposed subdivision. Their comments came back that the current Watershed Protection Ordinance says that the areas 7-miles upstream of Blue Creek Reservoir cannot be developed. Although there is already development in that area: Ingles on E. Main St and homes on Blue Creek Road. The City needs to modify the ordinance. The current ordinance was adopted when Blue Creek Reservoir was water source, but it has not been the water source for many years. The new ordinance will still have restrictions on waterways and what we can do, because we don't want to do anything to jeopardize Lake Jimmy Jackson. City management and attorney have reviewed other city ordinances and worked with CAA Engineer to make necessary changes to allow development. Reducing the buffers from 100ft from any perineal stream to 50' buffer. Consistent with soil and erosion ordinances in the City and EPD regulations. Reducing 150' buffer impervious surfaces to 75'buffer. Second change, allowing for construction of roadways within watershed meeting certain requirements and EPD regulations. Defined in ordinances Commercial & Industrial use definitions. Maintaining all other restrictions and regulations. The 1st reading of the amended ordinance will be at the Regular Meeting tonight.

2. Amendment to Professional Services Agreement - Charles Abbott & Associates

City Manager Lisa Kelly approached Charles Abbott & Associates with number of permits issued and work performed to ask if they would lower their percentage rate the City pays them for permitting services. They would not agree to lower the percentage for Residential but would be willing to reduce the Industrial and Commercial amount in half. Council agrees that this is a step in the right direction. The amendment to the agreement would only change to 50/50 split for commercial and industrial over \$10 million. Council Member Neese said she thinks the City should go out to bid for permitting services. May get a better price from other building/permitting companies. Council does agree that this agreement is a good starting point, and they will vote on this item at the Regular Meeting tonight.

3. Royal Theater - Concession Area Equipment

There was slight discussion on this at the last Work Session in August. Royal Theater Director Rob Dippel has worked hard to find the least expensive equipment for the concession stand. The total on all equipment if purchased new would be \$14,563. We know we can get used equipment for a lower price but don't know what they may find at the used equipment places. The only items that they know will be purchased brand new would be the beer/wine refrigerators and the popcorn machine, so they would have warranties. Staff said they want to buy what they can used. City Manager is asking for authority to purchase with a not-to-exceed amount of \$14563. This item is on the Regular Meeting for a vote tonight.

4. Citizen Board Appointments Applications

City Manager Lisa Kelly is looking to streamline the application process for board appointments. Each time there is a vacancy or someone steps down, she feels there is too many steps to fill the vacancy in repeating recent notifications. She is asking Council to agree to allow them to use applications already submitted. Council agrees

that if there is a vacancy, they may look at the applications from the last 6 months to fill the vacancy and go through the appointing process from there.

5. Chlorine Booster Station – Industrial Drive

The existing chlorine booster station on Industrial Dr. is in need of major repairs but has not been fixed because of plans for a new booster station in another location. An ideal location is as you turn off Hwy 29 onto Bass Cross Road and turn left on Industrial Drive where we tie to LaGrange's line and two valve pits are already located. The location straddles the Troup ROW and CSX ROW. City staff has not been able to make contact with or get permission from anyone with CSX but is nearing a critical point for making the new water line up Bass Cross Rd. operational. This location would place the chlorine station directly in line with water mains flowing down Industrial and Bass Cross. The County Engineer has verbally ok'd us crossing slightly into the County ROW for placement of a 8x8 building. The City will be taking a chance that CSX will force us to move the building but with no response from them City management, recommends moving forward with the placement. The City is looking at a \$25k overall investment. If CSX stops us and we have to move it, it's around an additional \$5k expense. The problem is there is no other area to place it.

Council agreed we need a viable CSX contact but, in this situation, to move forward with the placement of the building and chlorine booster station in the CSX ROW.

Adjourned at 6:28pm.

Respectfully,



09/03/2024

Meeting held at Hogansville City Hall, 111 High Street, Hogansville GA 30230

PUBLIC HEARING

Mayor Jake Ayers called the Public Hearing to Hear Citizen Comments on the millage rate to order at 7:00 pm.

City Manager Lisa Kelly gave a PowerPoint presentation on property taxes and the millage rate to give the public an understanding of how it works. Due to state law, the City is required to report the percentage of the taxes the City will receive each year if there is an increase. This is not an increase in your property tax millage rate. The millage rate has not changed in 21 years in the City and remains at 7.95mills. Based on new construction and reassessments, the City expects an increase of \$236,456 in additional taxes.

Public Comment:

Resident unknown: Is there a rate or prorate on property taxes for people 70 years old and above? Question for County. May be programs in place but would need to reach out to the County. The City does not have any.

Resident unknown: What about for veterans? This would be another question for the County. But the City does not.

Kids graduated 15 years ago, why do I pay school tax? That is a school board conversation. The City only deals with the City portion of the taxes. It would benefit to call them to see what programs in place.

Mayor Ayers adjourned the Public Hearing at 7:09pm

REGULAR MEETING

Call to Order: Mayor Jake Ayers called the Regular Meeting to order at 7:09 pm. Present were Council Member Michael Taylor, Council Member Matthew Morgan, Council Member Mandy Neese, Council Member Mark Ayers, and Council Member Kandis Strickland. Also present were City Manager Lisa Kelly, Assistant City Manager Niles Ford, City Attorney Alex Dixon, Police Major Marcus Rakestraw, and City Clerk LeAnn Lehigh. Police Chief Jeff Sheppard was not present at tonight's meeting.

Council Member Taylor gave an invocation and Mayor Ayers led the Pledge of Allegiance.

AGENDA

Motion: Council Member Neese moved to approve the agenda. The motion was seconded by Council Member Taylor.

Motion Carries 5-0

PRESENTATIONS

1. Hogansville Police Department Recognition -Lieutenant Rick Milliron

Major Rakestraw gave special recognition to Lieutenant Rick Milliron. Lieutenant Milliron was tasked with responsibility to train as a Fire Marshall from previous City Manager. He is the first police officer to receive state and national certification. He was commended for his dedication and hard work.

2. Hogansville Police Department New Officer Introduction -Sergeant Kenneth Little

Major Rakestraw introduced Sergeant Kenneth Little. He comes to the City with many years of law enforcement experience. Mayor and Council welcomed him to the team.

OLD BUSINESS

Motion: Council Member Taylor moved to approve an initial funding amount of \$6k to the Georgia Youth Impact

Project. The motion was seconded by Council Member Strickland.

Discussion: In previous meetings, Frederick Manley requested the City to help with funding for his project, Georgia Youth Impact Project. His initial request for \$25k has been modified to \$6k and future funding will be requested at a later date once the program is up and operational in the City.

Motion Carries 3-2 with Neese and Ayers opposed

NEW BUSINESS

1. Ordinance – 1st Reading – Watershed Protection Amendment

City Attorney Alex Dixon read the first reading of the proposed Watershed Protection Amendment Ordinance. No action was taken at tonight's meeting.

2. Amendment to Professional Services Agreement – Charles Abbott & Associates

Motion: Council Member Neese moved to approve the Professional Services Agreement with Charles Abbott & Associates that lowered the 50% split with any Commercial fees in excess of \$10m. Does not change timeline original agreement. The motion was seconded by Council Member Ayers.

Discussion: None **Motion Carries 5-0**

Motion: Council Member Neese moved to approve a not to exceed amount of \$14, 563 for equipment for the Royal Theater. The motion was seconded by Council Member Ayers.

Discussion:

Motion Carries 5-0

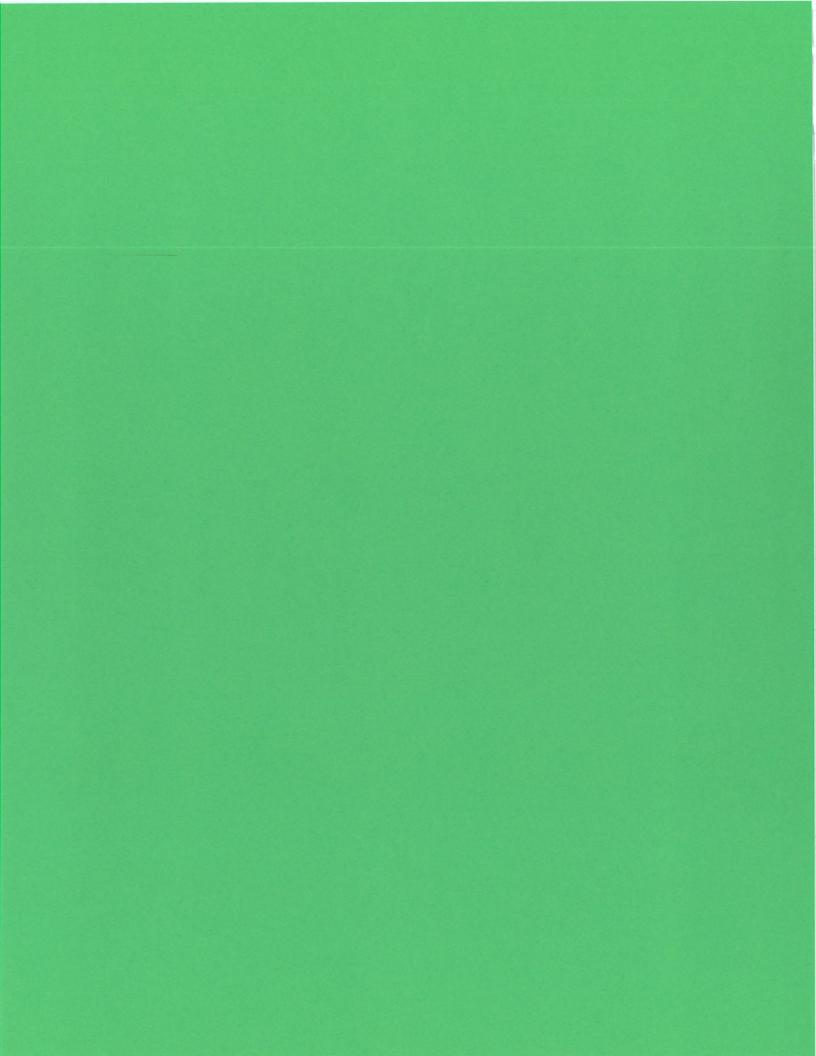
Motion: Council Member Neese moved to adjourn into an Executive Session under the Litigation and Real Estate Exemptions at 8:03pm. The motion was seconded by Council Member Ayers.

Discussion: None **Motion Carries – 5-0**

The Regular Meeting was reconvened at 8:24pm.

On a motion made by Council Member Neese and duly seconded, Mayor Ayers adjourned the meeting at 8:24 pm.

Respectfully,



AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF HOGANSVILLE TO AMEND THE CODE OF THE CITY; TO AMEND THE CODE TO MODIFY CERTAIN PORTIONS OF THE HOGANSVILLE UNIFIED DEVELOPMENT ORDINANCE (THE "UDO"); TO MODIFY ARTICLE III, SECTIONS 102-C-3-1 THROUGH 102-C-3-8, CONCERNING WATSERSHED PROTECTION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE SEPARABILITY; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF HOGANSVILLE, GEORGIA HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

That the Code of the City of Hogansville is hereby amended by modifying Article III, Sections 102-C-3-1 through 102-C-3-8 of the Hogansville Uniform Development Ordinance, to delete the current language in such Article III in its entirety and inserting in lieu thereof the following language:

"ARTICLE III. WATERSHED PROTECTION

Sec. 102-C-3-1. Purpose and intent.

This division is enacted pursuant to the laws of the state for the following purposes:

- (1) To establish measures to protect the quality of the present and future Blue Creek Watershed;
- (2) To minimize the transport of pollutants and sediment to the Blue Creek Watershed;
- (3) To maintain the yield of the water supply within the Blue Creek Watershed; and
- (4) To establish regulations for the management and protection of the Blue Creek Reservoir.

Sec. 102-C-3-2. Conflict with other laws.

Whenever the provisions of this division and those of some other ordinance or statute apply to the same subject matter, that ordinance requiring the highest or most strict standard shall govern.

Sec. 102-C-3-3. Establishment of the watershed protection district.

The Hogansville Watershed Protection District is hereby designated and shall comprise the land that drains to the water supply intakes from the stream banks and the reservoir boundary to the ridge line of the city watershed. The boundary of the watershed protection district is defined by the ridgeline of the watershed within a radius of seven miles upstream of the water supply intakes or by the political boundaries of the city where those boundaries occur within the watershed. All lands in the district are within an area defined as a water quality critical area, pursuant to O.C.G.A. § 12-2-8. The boundary shall be set at places readily identifiable on the watershed protection district map.

Sec. 102-C-3-4. Conditions and performance standards.

All uses in the watershed protection district are subject to the following conditions and performance standards:

- (1) *Buffers*. A buffer shall be maintained for a distance of 50 feet on both sides of the perennial stream as measured from the stream banks and for a distance of 100 feet from the reservoir boundary of Blue Creek Reservoir.
- (2) *Impervious surface*. No impervious surface shall be constructed with a 75-foot setback area on both sides of the stream as measured from the stream banks or within a 150-foot setback area from the reservoir boundary.
- (3) Septic tanks. Septic tanks and the drainfields of septic tanks are prohibited within 150 feet of a stream bank or of the reservoir boundary.
- (4) Exemptions. Exemptions from buffer and setback requirements shall be as follows:
 - (a) Mining activities permitted by the state department of natural resources under the Surface Mining Act (O.C.G.A. § 12-4-70 et seq.) are exempted from the provisions of this division.
 - (b) Utilities from the stream corridor buffer and setback area provisions of this division in accordance with the following conditions if the utilities to be located in the buffer or setback areas cannot feasibly be located outside these areas:
 - (i) The utilities shall be located as far from the stream bank as reasonably possible.
 - (ii) The installation and maintenance of the utilities shall be such to protect the integrity of the buffer and setback areas as best as reasonably possible.
 - (iii) The utilities shall not impair the quality of the drinking water stream.
 - (c) Forestry and agricultural activities from the stream corridor buffer and setback area provisions of this division in accordance with the following conditions:
 - (i) The activity shall be consistent with best management practices established by the forestry commission of the state department of agriculture.
 - (ii) The activity shall not impair the quality of the drinking water system.
 - (d) A drainage structure or a roadway drainage structure may be constructed within the Watershed Protection District provided that adequate erosion control measures are

incorporated in the project plans and specifications, and are implemented, along any ephemeral stream. As used in this provision, the term "ephemeral stream" means a stream that: under normal circumstances has water flowing only during and for a short duration after precipitation events; that has the channel located above the ground-water table year round; for which ground water is not a source of water; and for which runoff from precipitation is the primary source of water flow. Unless exempted as along an ephemeral stream, the buffers of at least 25 feet established pursuant to O.C.G.A. Sec. 12, Ch. 5, Art. 5, Pt. 6, the "Georgia Water Quality Control Act," shall remain in force unless a variance is granted by the building official as provided in this paragraph. The following requirements shall apply to any such buffer:

- (i) No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his/her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; and
- (ii) The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented:
- a. Stream crossings for water lines, or
- b. Stream crossings for sewer lines.
- (5) Site plans required. Except for the exemptions listed in subsection (7) of this section, all forms of development within the watershed protection district shall be required to have a site plan prepared and approved according to this division before any building permits or other development related permits may be issued or any land disturbing activity may take place. Each site plan submitted under this division shall include the following:
 - (a) A site plan drawn to a scale and showing all planned improvements including the width, depth, and length of all existing and proposed structures, roads, watercourses, and drainageways; water, wastewater, and stormwater facilities; and utility installations.

- (b) Location, dimensions, and area of all impervious surfaces, both existing and proposed, on the site.
- (c) The orientation and distance from the boundaries of the proposed site to the nearest bank of an affected perennial stream or water body.
- (d) Elevations of the site and adjacent lands within 200 feet of the site at contour intervals of no greater than five feet.
- (e) Location and detailed design of any spill and leak collection systems designed for the purpose of containing accidentally released hazardous or toxic materials.
- (f) Calculations of the amount of cut and fill proposed and cross sectional drawings showing existing and proposed grades in areas of fill or excavation. Elevations, horizontal scale and vertical scale must be shown on cross sectional drawings.
- (6) Activities to comply with site plan. All development activities or site work conducted after approval of the site plan shall conform with the specifications of such site plan. Significant changes to the site plan, that would alter the amount and velocity of stormwater runoff from the site, increase the amount or provisions of impervious surface within the development, alter the overall density of development, result in a considerable increase in the amount of excavation, fill, or removal of vegetation during construction, or otherwise result in an alteration of the overall appearance of the development as proposed, can be amended only with the approval of the building official. Minor changes such as realignment of streets, or minor alterations to drainage structures and other infrastructure, to meet unexpected conditions are exempted from this requirement.
- (7) Exemptions from site plan requirement. The following activities and developments are exempt from the requirement for detailed site plans:
 - (a) Single-family detached homes constructed within a subdivision of fewer than five parcels.
 - (b) Repairs to a facility that is part of a previously approved and permitted development.
 - (c) Construction of minor structures such as sheds, or additions to single-family residences.
 - (d) Agriculture and forestry. Normal agricultural activities including planting and harvesting of crops are exempted if they conform to best management practices established by the state department of agriculture. Agricultural activities must conform to best management practices established by the state forestry commission.
 - (e) Mining activities. All mining activities that are permitted by the state department of natural resources under the Georgia Surface Mining Act.

Sec. 102-C-3-5. Use limitations.

Within the watershed protection district the following limitations on permissible uses shall apply:

(1) New sanitary landfills are allowed only if they have synthetic liners and leachate collection systems.

- (2) New hazardous waste treatment or disposal facilities are prohibited.
- (3) New facilities which handle hazardous materials of the types and amounts determined by the state department of natural resources, shall perform their operations on impermeable surfaces having spill and leak collection systems as prescribed by the state department of natural resources.
- (4) The impervious surface area, including all public and private structures, utilities, or facilities, of the entire water supply watershed shall be based upon all assessment of the percentage of impervious surface present in the watershed district at the time of the adoption of the ordinance from which this division was derived. New impervious surface will be allowed up to the point where 25 percent of the watershed district as a whole is comprised of impervious surface.
- (5) Recreational use of Blue Creek Reservoir is permitted subject to the following conditions:
 - (a) Public access shall be limited to the road and concrete boat ramp maintained by the city.
 - (b) Motorized boats shall utilize electric motors only.
 - (c) Private docks shall be constructed with a minimum of impervious surface. The installation and maintenance of private docks shall be such to protect the integrity of the natural vegetated area and not to impair the quality of the drinking water.

Sec. 102-C-3-6. Blue creek reservoir use and protection.

- (1) Uses of the reservoir. The public purposes of the Blue Creek Reservoir are flood control and recreation and as a potential water storage impoundment for the city water system. Consequently, water may periodically be drawn from the reservoir during periods of drought and/or high demand in accordance with the city's reservoir management plan and the level of the water pool will fluctuate accordingly. Recreational activity such as boating and fishing shall be available to the general public but only with the restrictions included in this section. No commercial use of any type, for any purpose is permitted.
- (2) Permit requirement. A permit is required for any authorized construction within the established setbacks of the Blue Creek Reservoir.
- (3) Encroachment resolution. Items placed on project lands longer than 24 hours that are not relative to a permit become an encroachment and are subject to summary removal at the owner's expense; and if impounded, ultimately disposed of if not claimed encroachments are classified as either major or minor.
 - (a) *Minor encroachments*. Minor encroachments are portable personal properties. The city generally prefers to return minor encroachments to private land. The abandonment of personal property is often in the form of solid waste such as rubber tires, Styrofoam, lumber, steel, furniture, building debris, etc.
 - (b) *Major encroachments*. Major encroachments are considered to be items of more substantial value and can result in civil action to force removal. Major encroachments generally include storage sheds, swimming pools, decks, screen porches or even houses and garages.

(4) *Fishing*. Fishing is permitted by the general public from public lands, or on the lake, if from private property abutting the lake prior permission must be received from the property owner. All individuals fishing in the reservoir must comply with all fishing rules and regulations of the state department of natural resources concerning safety, licenses, creel limits and all other applicable requirement. Trot lines and set or bank poles are not permitted.

(5) Boating.

- (a) This section pertains to all marine vessels or watercraft, including, but not limited to, power boats, cruisers, houseboats, sailboats, rowboats, canoes, kayaks, jet skis, wind surfboards or any other such equipment capable of navigation on water, whether in motion or at rest.
- (b) Except as otherwise provided in this section, no marine vessel shall be operated on project waters with a gasoline, diesel, or other internal combustion engine or power plant, including but not limited to gas powered generators. Electric motors, canoes, jon boats, paddle boats, paddle boards and kayaks are permissible.
- (c) All watercraft so required by applicable federal, state and local laws shall display an appropriate registration on board whenever the marine vessel is operated on project waters.
- (d) The maximum speed of watercraft on the reservoir shall be such that the vessel produces no wake.
- (e) No watercraft shall be operated before sunrise and after sunset except with sufficient lighting for such to be observed for safety purposes.
- (f) Water skis, parasail, ski-kites and other similar devices are prohibited.
- (g) All marine vessels when not in actual operation shall be removed from project land and waters unless moored or stored at designated areas approved by the designated representative of the city.
- (h) The city reserves the right to prohibit any marine vessel or watercraft prohibited by this section, or otherwise misusing the reservoir property, from the reservoir.
- (6) Piers, boathouses, etc. prohibited. Piers, boathouses or related structures are prohibited on public land or waters unless erected by the city for management purposes.
- (7) *Public access*. The city reserves the rights to, at any time, restrict or prevent the use of the reservoir during periods of emergency demanding such restrictions or preventions of use.
- (8) Additional restrictions on use of the reservoir. The following is expressly prohibited in or on the public areas of the reservoir and reservoir property:
 - (a) The possession or consumption of alcohol, drugs or any controlled substance;
 - (b) The possession or use of firearms, ammunition, bows and arrow, loaded firing devices or explosives;
 - (c) The operation or use of any audio or noise producing devices in such a manner as to unreasonably annoy or endanger other individuals, or as listed and described in City Code section 54-1;
 - (d) Pets;

- (e) Glass containers of any kind;
- (f) Littering or dumping;
- (g) Cleaning of watercraft with soaps or solvents;
- (h) Watercraft that are not properly registered or that do not carry appropriate flotation devices;
- (i) The discharge of any pollutants.
- (9) Damage, trespassing. It shall be unlawful for any person to damage, tamper with, trespass, or alter any property, barricades, structures or appurtenances owned by the city.
- (10) Dam and intake restrictions. The dam, intake structure and immediate surrounding area are a restricted area. No person shall enter the restricted area, attempt to operate or tamper with such structures, physically climb or attempt to reach by shoreline such structures, or in any way attempt to manipulate water levels around such structures.
- (11) Liability. All users of the city's reservoir shall hold the city safe and harmless from any claim, cost, loss, damage or obligation whatsoever that arises from the use of the reservoir facility.
- (12) *Violators*. The city reserves the right to expel from the public areas of the reservoir or reservoir property persons, either temporarily or permanently, and/or revoke boating, docking, swimming, fishing or other privileges for reasons detrimental to the city and failure to follow the direction of city representatives and agents. Nothing in this section shall prohibit or limit the authority from seeking other remedies as may be provided by law.
- (13) Watershed protection ordinance. All property abutting the reservoir and all property delineated by ordinance is subject to the provisions of section 102-C-3-7, the watershed protection plan adopted as an amendment to the city zoning ordinance on May 15, 2000.Sec. 102-C-3-7. Watershed protection plan.

Sec. 102-C-3-7. Watershed protection plan.

- (1) The purpose of this plan and division is to establish the protection of drinking water watersheds in the city. This protection is necessary for the enhancement of public health, safety and welfare as well as to assure that surface sources of drinking water are of high quality in order to be treated to meet all state and federal drinking water standards.
- (2) This division is intended to operate and be enforced in conjunction with the "high water easement" owned by the city and recorded in the deed records of the county. This easement affects the property in and around the city reservoir between the ocean sea elevations of 739.0 and 714.0 feet elevation.

Sec. 102-C-3-8. Watershed restriction plan restrictions, setbacks and buffers.

- (1) Generally. Any property within the watershed of the city's water supply shall comply with the following:
 - (a) Permitted residential uses. Permitted residential uses shall comply with the following:
 - (i) Minimum lot size per zoning district.
 - (ii) Minimum natural buffer shall be 100 feet.

- (iii) Minimum setback from natural buffer for all structures, nitrification fields and impervious surfaces shall be 50 feet.
- (iv) No mobile home park or manufactured home park uses allowed within the Watershed Protection District.
- (v) No multifamily residential uses within the boundaries of the Blue Creek Reservoir.
- (b) Permitted agricultural uses. Permitted agricultural uses shall comply with the following:
 - (i) Minimum natural buffer shall be 100 feet.
 - (ii) Minimum setback from natural buffer for all structures, nitrification fields and impervious surfaces shall be 75 feet.
 - (iii) No chemical treatment (herbicides, pesticides, fertilizers, or paint) allowed in the natural buffer without prior approval of the substance to be used.
- (c) *Commercial*. No commercial structures or uses of any nature allowed within the boundaries of the Blue Creek Reservoir. "Commercial Uses" shall be defined as listed as commercial uses in section 102-B-6-1, Table of permitted and prohibited uses.
- (d) *Industrial*. No industrial structures or uses of any nature allowed within the boundaries of the Blue Creek Reservoir. "Industrial Uses" shall be defined as listed as industrial uses in section 102-B-6-1, Table of permitted and prohibited uses.
- (e) *Permitted recreational uses*. Permitted recreational uses shall comply with the following:
 - (i) Minimum natural buffer shall be 50 feet on both sides of any perennial stream as measured from the stream banks and for a distance of 100 feet from the reservoir boundary of Blue Creek Reservoir.
 - (ii) Minimum setback from natural buffer for all structures, nitrification fields and impervious surfaces shall be 50 feet on both sides of any perennial stream as measured from the stream banks and for a distance of 100 feet from the reservoir boundary of Blue Creek Reservoir..
 - (iii) No chemical treatment (herbicides, pesticides, fertilizers, or paint) allowed in the natural buffer without prior approval of the substance to be used.
- (2) Other quality considerations.
 - (a) It shall be the responsibility of every developer or builder on all construction sites to present required plans and to comply with sediment control requirements promulgated by the city, state and federal governments.
 - (b) Whenever the zoning district regulations are more restrictive than those contained in this section, the more restrictive provisions shall prevail.
 - (c) Nonresidential developments may be required to install any or all of, but not limited to, the following devices:
 - (i) Oil-water separators.
 - (ii) Grease traps.

- (iii) Presetting basins.
- (iv) No agricultural or recreational activity that does not strictly comply with Georgia Pesticide Act of 1976, Georgia Pesticide Use and Application Act of 1976, and 1982 Ga. Laws, House Bill 1780 (O.C.G.A. § 2-1-4) as amended, or with any and all other laws of the state, will be allowed.
- (v) No gas powered boat engines may be operated or used in the water supply or the watershed of the water supply.
- (vi) No gas operated engine may be operated to power a golf cart or personal off-road transport vehicle within the watershed of the water supply.
- (vii) Hunting within the water supply watershed is prohibited.
- (viii)No septic tank or drain field shall be allowed or permitted within the water supply watershed.
- (3) Variance. No variance of the restrictions, requirements or prohibitions of this division shall be gained without an application being made to the mayor and city council. The setback requirements shall not be varied and the only variance that may be granted, after due notice and application, shall be as to the buffer size, makeup and uses.
 - (a) Objective.
 - (i) The existing watershed protection ordinances for the city were developed pursuant to the Rules of Environmental Planning Criteria, chapter 391-3-16, O.C.G.A. § 12-2-8 and provides protection for the quality of the water supply to the Blue Creek Reservoir.
 - (ii) The existing ordinance, as written, is without a mechanism for allowing alternate criteria or mitigative measures. This analysis provides mitigative criteria for the development of sites within a water supply watershed (chapter 391-3-16.01).
 - (iii) The rationale behind requiring a buffer on each side of a perennial stream within a water supply watershed is to protect the source water by providing a vehicle for the filtering or cleansing of stormwater discharging to a stream. In the event that the regulated buffer is violated, a mechanism for providing an equal capacity of cleansing for the stormwater discharge must be supplied.
 - (iv) Chapter 391-3-16.01, section 10 of the environmental planning criteria provides the legal authority for the city to review alternate or mitigative criteria with technical justification for the implementation of alternate of mitigative proposals rests with the property owner. All exceptions to this division must be submitted to the state department of natural resources, through the city for review and comment. This review must be obtained before construction plans can be reviewed for a building permit. The criteria for the development of mitigation plans is outlined in subsection (3)(b) of this section.
 - (b) Request for variance. If due to physical topographical or other reasons, a site cannot be developed in compliance with this division, for the purpose it was zoned, the owner/developer may request a variance. Application for a variance must develop alternate methods for providing the same level of water quality protection as afforded by

natural buffer and impervious surface setback required in this division. An environmental assessment report shall be prepared in accordance with the guidance documents provided by the state department of natural resources. The report shall explain how the concepts of avoidance, minimization or mitigation have been addressed in the design of the proposed project. The report shall be prepared by one or more individuals having expertise in the following areas: erosion and sediment control, soils science and mechanics, aquatic biology, hydrology and environmental/civil engineering. A statement as to the qualifications of each of the report's authors shall be included as an appendix to the environmental assessment report.

- (i) Stream buffer variance. The general principal in the preservation of natural stream buffers are as follows:
 - (1.) Reserved.
 - (2.) Design the site facilities without conflict with natural stream buffers.
 - (3.) Relocate the stream so that the site facilities will not conflict with the natural stream buffer requirement. Relocation of a stream requires a mitigation plan approved by the state department of natural resources.
 - (4.) A combination of site configuration and stream relocation with approved mitigation plan.
 - (5.) In the event reduction of the 100-foot buffer is proposed as a part of a site development plan, equivalent buffer must be provided downstream of the impacted area. An approved mitigation plan must be provided.
 - (6.) The least preferred method of developing a site with a perennial stream is to pipe the stream. The initial reaction of the regulatory agencies is to disallow the piping of a stream. Stream piping is normally not allowed because of the adverse effect on cold water microorganisms and the normal small fish population. However, if the steam is enclosed with properly jointed concrete pipe, it will protect the water quality of the stream segment from contaminated runoffs and therefore, piping may be justified. Piping will require mitigation of the lost stream buffer. Lost or reduced buffer shall be compensated for by providing replacement buffer or the construction of wetlands. Replacement buffer shall be provided at the rate of five times the disturbed buffer area. In the event wetlands are constructed in lieu of replacement buffer, the area of the constructed wetland is two and one-half times the disturbed buffer. Replacement buffer and constructed wetlands shall be set aside as conservation easement as outlined under O.C.G.A. tit. 44, ch. 10 (O.C.G.A. § 44-10-1 et seq.).
- (ii) *Impervious surface variance*. Mitigation plans for encroachment into the required 175-foot setback of impervious surfaces from a perennial stream shall be developed in accordance with the following:
 - (A) Reserved.
 - (B) All impervious surfaces shall be contoured so that the stormwater runoff is direct to a "first flush" dry retention filter with a subsurface filtration system.

- (C) The "first flush" of a storm event is of primary importance to water quality. This term describes the washing action that stormwater has on accumulated pollutants from impervious surfaces. This flushing creates a shock loading of pollutants. Studies have determined that the "first flush" equates to the first one-half inch of rainfall over the impervious area. This runoff carries 90 percent of the pollution load from a storm.
- (D) Treatment of the first one-half inch of runoff will help minimize the effect of the stormwater on water quality.
- (E) Surface oil skimming from the "first flush" unit shall be processed through an oil/water separator. Surface discharge from oil/water separators to State waters shall comply with the Rules and Regulations for Water Quality Control, state department of natural resources chapter 391-3603(5).
- (c) Landscape plan requirements. All applications for a variance shall be prepared and shall contain the information as set out in this subsection. A landscape plan is required for the replacement/replanting of buffer vegetation.
 - (i) A landscape plan shall be prepared by a landscape architect registered in the state.
 - (ii) The landscape plan check sheet and landscape plan shall contain the following information:
 - (A) Name, address and telephone number of property owner.
 - (B) Name, address, telephone number and seal of landscape architect who prepared the plan.
 - (C) Site location map, north point, scale of drawings.
 - (D) Show all pertinent site features: buildings, walks, drives, underground utilities, water bodies, etc.
 - (E) Show all property lines, distances to bodies of water and/or streams, and the limits of the natural buffer areas.
 - (F) Show calculations on the plan for: total area, buffer area disturbed (in acres and square feet). Indicate numbers of canopy and understory trees required by ordinance.
 - (G) Planting key: botanical and common name of all plant materials proposed; quantity of each species, size of plant material (caliper, height, width); condition (i.e., balled and burlapped, container grown, bare root, collected, etc.).
 - (H) Submit three copies of plans for review. One will be returned upon approval.
 - (iii) A landscape plan shall include two canopy trees with a minimum trunk caliper of two and one-half inches (at four inches from the ground) for every 1,000 square feet of disturbed buffer area on the site.
 - (iv) A landscape plan shall include one understory tree with a minimum trunk caliper of one inch (at four inches from the ground) for every 1,000 square feet of disturbed buffer area on the site.

- (v) Required trees shall be randomly placed so that the mature canopy covers the buffer area.
- (vi) All disturbed buffer areas shall be 100 percent covered with, deciduous trees, shrubs, and/or ground cover (not requiring mowing)."

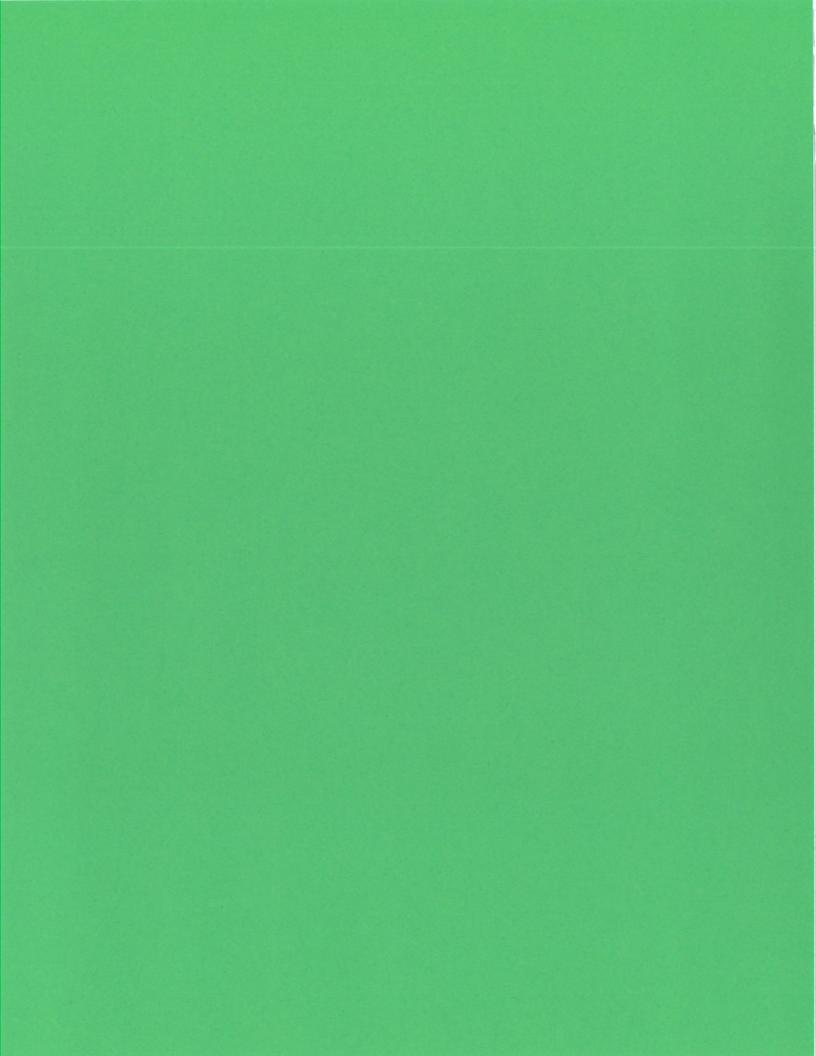
SECTION 2:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3:

This ordinance, after adoption by the Council and upon approval by the Mayor, shall become effective immediately.

INTRODUCED AND FIRST READING	
SECOND READING AND ADOPTED/REJ	ECTED
SUBMITTED TO MAYOR AND APPROVE	ED/DISAPPROVED
I	BY: Mayor
A	ATTEST:Clerk



NOTICE

The Hogansville City Council does hereby announce that the millage rate will be set at a meeting to be held at City Hall, 111 High Street, Hogansville, GA 30230 on September 16, 2024 at 7:00 pm. Three Public Hearings will be held to hear public comments regarding the mil rate; 7:00 pm on 9/03/24; 10:00 am on 09/16/24; and 7:00 pm on 9/16/24.

Pursuant to the requirements of O.C.G.A. Section 48-05-32 the City does hereby publish the following presentation of the current year's tax digest and levy, along with the history of the tax digest and levy for the past five (5) years.

CURRENT 2024 PROPERTY TAX DIGEST	AND 5 VEAR HISTORY OF LEVY

	City of Hogansville		2019		2020		2021		2022		2023	L	2024
	Real & Personal	\$	69,886,275	\$	77,064,367	\$	76,110,753	\$	101,801,021	\$	138,312,673	\$	158,844,056
V	Motor Vehicles	\$	848,890	\$	848,890	\$	569,630	\$		\$	496,010	\$	46,720
Α	Mobile Homes	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
L	Timber - 100%	\$	-	\$	-	\$	327,027	\$	-	\$	-	\$	-
U	Heavy Duty Equipment	\$		\$	-	\$	-	\$	-	\$	· -	\$	-
E	Gross Digest	\$	70,735,165	\$	77,913,257	\$	77,007,410	\$	102,275,401	\$	138,808,683	\$	158,890,776
	Less Exemptions	\$	(2,501,624)	\$	(10,083,563)	\$	(6,704,141)	\$	(9,452,406)	\$	(34,633,898)	\$	(24,973,140)
	Net Digest Value	\$	68,233,541	\$	67,829,694	\$	70,303,269	\$	92,822,995	\$	104,174,785	\$	133,917,636
												l	
	State Forest Land												
	Assistance Grant Value	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
	Adjusted Net M&O												
	Digest	\$	68,233,541	\$	67,829,694	\$	70,303,269	\$	92,822,995	\$	104,174,785	\$	133,917,636
	Gross M&O Millage		16.520		15.785		15.418		14.232		15.286		15.186
	Less Rollbacks		8.570		7.835		7.468		6.282		7.336	L	7.236
R													
Α	MILLAGE RATE		7.950		7.950		7.950		7.950		7.950		7.950
Т	(Maintenance and												
E	Operation)												
-								-54.9					
Т Т	Total M&O Taxes Levied	\$	542,457	\$	539,246	\$	558,911	\$	737,943	\$	828,190	\$	1,064,645
Ä	Net Taxes \$ Inc+ / (Dcr)-	\$	106,692	\$	(3,813)		19,665	\$		\$		\$	236,456
X	Net Taxes % Inc+ / (Dcr)-	φ	24.48%	Ψ	-0.70%	Ψ	3.65%	Ψ	32.03%	φ	12.23%	,	28.55%
^	Net Taxes % Inc+ / (DCr)-		24.40%		-0.70%		3.05%		32.03%		12.23%		20.35%
						-		_					

NOTICE OF PROPERTY TAX INCREASE

The City of Hogansville intends to adopt a millage rate which will require an increase in property taxes by 28.55% All concerned citizens are invited to the Public Hearings on this tax increase to be held at Hogansville City Hall, 111 High Street, Hogansville, Georgia at 7:00 pm on September 3, 2024.

Times and places of additional public hearings on this tax increase are: 10:00 am and 7:00 pm on September 16, 2024. All meetings will be held in the Council Chamber at Hogansville City Hall, 111 High Street, Hogansville, Georgia 30230.

This tentative increase will result in a millage rate of 7.95 mills. The proposed tax for a home with a fair market value of \$140,000 is approximately \$572.30

CITY COUNCIL
Mayor Jake Ayers
Michael Taylor, Jr., Post 1
Mathew Morgan, Post 2
Mandy Neese, Post 3
Mark Ayers, Post 4
Kandis Strickland, Post 5



City Manager – Lisa Kelly Assistant City Manager – Niles Ford City Clerk – LeAnn Lehigh City Attorney – Alex Dixon 111 High St Hogansville GA 30230-1196 706-637-8629 | cityofhogansville.org

COUNCIL ACTION FORM

MEETING DATE:	September 16, 2024	SUBMITTED BY: Dhayr	na Portillo					
AGENDA TITLE: Citizen Appointments – Downtown Development Authority								
CLASSIFICATION (City Attorney must approve all ordinances, resolutions and contracts as to form)								
Ordinance (No.	Contract	Information Only	Public Hearing					
Resolution (No.	Ceremonial	X Discussion/Action	Other					
BACKGROUND (In	BACKGROUND (Includes description, background, and justification)							
The Hogansville Downtown Development Authority (DDA) has had two resignations: Kane Hicks (Resident) and Jessica Brown (Business owner). With this, there is now one open seat that is required to be a business owner and one seat that may be a resident in the DDA district. The committee of two that must be accordance with GA law has made the two following recommendations: Jason Gazaway - part-owner of Jenny Jen's Boutique and Jason Baswell - Lincoln St with their applications attached.								
BUDGETING & FINANCIAL IMPACT (Includes project costs and funding sources)								
No budget impact.	aa. a (a.aaaa projec							